

Neil B. Klein, CA Bar No. 142734
neilk@mckassonklein.com
Maria del Rocio Ashby, SBN 206282
mrashby@mckassonklein.com
McKASSON & KLEIN LLP
18401 Von Karman Ave., Suite 330
Irvine, CA 92612
Phone: (949) 724-0200

J. Stephen Simms (Admitted *Pro Hac Vice*)
jssimms@simmsshowers.com
Simms Showers LLP
201 International Circle, Suite 230
Baltimore, Maryland 21030
Phone: (443) 290-8704

Attorneys for NYK Bulk & Projects Carriers Ltd

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

NYK Bulk & Projects Carriers Ltd,

Plaintiff,

v.

Delta Corp Shipping Pte Ltd.

Defendant.

and

Oversea-Chinese Banking Corporation, Limited

Garnishee.

Case No. 24-cv-8006-MRA-SK

IN ADMIRALTY, Fed. R. Civ. P. 9(h)

**AFFIDAVIT OF J. STEPHEN
SIMMS IN SUPPORT OF
REQUEST TO ENTER DEFAULT
AGAINST GARNISHEE
OVERSEA-CHINESE BANKING
CORPORATION, LIMITED**

[Fed. R. Civ. P. 55(a)]

I, J. Stephen Simms, hereby certify as follows:

1. I am a principal at the firm of Simms Showers LLP and counsel

1 admitted *pro hac vice* for Plaintiff NYK Bulk & Projects Carriers Ltd
2 ("Plaintiff") in this matter. This affidavit is executed in accordance with
3 Fed. R. Civ. P. 55(a) in support of Plaintiff's request for entry of default
4 against Garnishee Oversea-Chinese Banking Corporation, Limited
5 ("Garnishee").

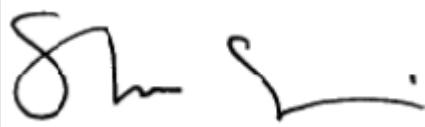
6
7 2. Garnishee, through its Operations Manager, was served with
8 Process of Maritime Attachment and Garnishment (Writ") on September
9 20, 2024, as evidenced by the proof of service on file with this Court (ECF
10 15).
11

12
13 3. Garnishee was required to answer or respond to the Writ 21-days
14 after service, or October 11, 2024. Garnishee failed to serve an answer or
15 otherwise respond to the Writ, and the time to do so has expired.
16

17 4. Upon information and belief, Garnishee is not an infant,
18 incompetent person or presently engaged in military service
19

20 I declare under penalty of perjury under the laws of the United States
21 of America that the foregoing is true and correct. This affidavit is executed
22 on November 1, 2024 in Baltimore, Maryland.

23
24
25
26
27



28

J. Stephen Simms